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REMARKS

Claims 1-35 are currently pending in the subject application and are presently under consideration. A listing of all pending claims is found at pages 2-6 of this Reply. No claims have been amended herein. Claims 28-30 have been cancelled herein.

In a telephonic interview on March 3, 2004, applicant's representative cancelled non-elected claims 31-35 at the request of the Examiner. Applicant's representative furthermore reserved the right to pursue the cancelled claims in a continuation or divisional application at a future date.

Applicant's representative notes with appreciation the Examiner's indication that claims 1-26 are allowable. Claims 28-30 have been cancelled herein in order to advance this application toward allowance. Applicant's representative respectfully reserves the right to pursue cancelled claims 28-30, as well as non-elected (now cancelled) claims 31-35, in a continuation or divisional application upon the Examiner's indication that the present application is allowed.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claim 28 Under 35 U.S.C. §112, sixth paragraph

Claim 28 stands rejected under 35 U.S.C. §112, sixth paragraph. Claim 28 has been cancelled herein in order to advance the present application toward issuance. Applicant's representative respectfully reserves the right to pursue cancelled claim 28 and associated dependent claims in a continuation application upon allowance of the remaining claims. Therefore, withdrawal of this rejection is respectfully requested.

II. Rejection of Claim 28 and 29 Under 35 U.S.C. §112, second paragraph

Claims 28 and 29 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 28 and 29 have been cancelled herein in order to advance the present application toward issuance. Applicant's representative respectfully reserves the right to pursue cancelled claim 28 and associated dependent

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claims in a continuation application upon allowance of the remaining claims. Therefore, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 28, 29, and 30 Under 35 U.S.C. §103(a)

Claims 28, 29, and 30 stand rejected under 35 U.S.C. §102(b) as being anticipated by Amasino *et al.* (U.S. 3,778,891). This rejection should be withdrawn for at least the following reasons. Claims 28-30 have been cancelled herein in order to place the claims in condition for allowance. Applicant's representative respectfully reserves the right to file a continuation application to pursue the cancelled claims upon the Examiner's indication that the present application is in condition for allowance. Accordingly, withdrawal of this rejection and allowance of the remaining claims is respectfully requested.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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